

~~Gondopke, P.~~  
Pitman, H.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/28/17

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GONZALO CORNELIO BASURTO, *individually and on  
behalf of others similarly situated,*

Plaintiff,

-against-

KAHALA HOLDINGS LLC., KAHALA  
RESTAURANTS LLC., KAHALA FRANCHISING  
LLC., KAHALA RESTAURANT HOLDINGS LLC,  
KAHALA FRANCHISE CORP., KAHALA BRANDS  
LTD., TWIN 161 CORP., (d/b/a BLIMPIE), and  
REHAN KHAN,

Defendants.  
-----X

Civ. No.: 17-CV-07848 (PGG)

**STIPULATION EXTENDING DEFENDANTS' TIME TO ANSWER,  
MOVE OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT**

It hereby is STIPULATED AND AGREED, by and between Plaintiff and the Kahala Defendants (as defined below), through their undersigned attorneys, who are authorized to enter into this Stipulation, that any obligation on the part of Defendants to answer, move, or otherwise respond to the Complaint in this matter is extended to and including January 22, 2018;

IT IS FURTHER STIPULATED AND AGREED, by and between Plaintiff and Defendants KAHALA HOLDINGS LLC., KAHALA RESTAURANTS LLC., KAHALA FRANCHISING LLC., KAHALA RESTAURANT HOLDINGS LLC, KAHALA FRANCHISE CORP., and KAHALA BRANDS LTD. ("Kahala Defendants"), through their undersigned attorneys, who are authorized to enter this Stipulation, that the Kahala Defendants hereby waive any defenses based on alleged defects in service of process.

MICHAEL FAILLACE & ASSOCIATES, P.C.  
ATTORNEYS FOR PLAINTIFF  
60 East 42nd Street, Ste. 4510  
New York, New York 10165  
(212) 317-1200

By:

  
MICHAEL A. FAILLACE, ESQ.

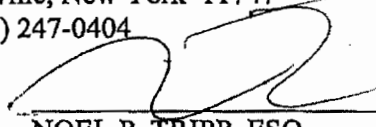
Dated:

12-27-17

4820-6267-0154, v. 1

JACKSON LEWIS P.C.  
ATTORNEYS FOR KAHALA  
DEFENDANTS  
58 South Service Rd., Ste. 250  
Melville, New York 11747  
(631) 247-0404

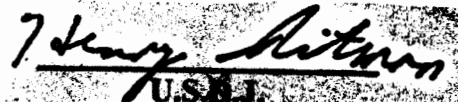
By:

  
NOEL P. TRIPP, ESQ.

Dated:

12/27/17

**SO ORDERED:**

  
U.S.J.  
M.

Dr